

Serial No. 10/527,434
Atty. Doc. No. 2002P11067WOUS

REMARKS

Claims 13-28 are pending, having been added by Preliminary Amendment. Applicant amends claims 13 and 26 herein, and adds new claims 29 and 30, so that claims 13-30 are presented. Applicants respectfully request entry of these claims amendments and new claims, and allowance of the present application in view of the foregoing amendments.

Claim Objections

Applicant has amended claim 26, correcting "patent" to "patient." Reconsideration and withdrawal of this objection is respectfully requested.

Claim Rejections under 35 USC 103(a)

Claims 13-16, 18 and 20-21 stand rejected under 35 USC 103(a) as being allegedly unpatentable over Mazess (US 6,081,582).

As to claim 13, Applicant respectfully believes that Mazess does not teach the claim as written, particularly it does not include the limitation represented by the phrase "wherein the plurality of successive imaging positions are calculated by the control device based on an elevation level of the examination area and the elevation level of the active surface area of the digital radiation detector, . . . ". The Office action cites Figure 2 of Mazess as providing or correlating to this limitation. However, the specification and Figure 2 of Mazess merely teaches that "fan beam 28 may be scanned over the surface of table 20 and hence may scan the whole body of patient 34 so as to generate a series of transversely extending scan images that may be merged into a single image or data set. For example, a first scan image may encompass in sequence areas A1, A2, A3, and A4. At the end of this scan, motion of the arm 12 in the longitudinal direction may be had so that the detector 30 may scan a second scan image comprising in order areas B4, B3, B2 and B1." Mazell lacks a teaching of the inputting of the patient parameters (including the height of the examination area) into the control device, wherein the control device with such information computes the positions to which the radiation source and the radiation receiver must be moved for a multi-image capturing of the whole examination area. That is, Mazess does not teach a control device "configured for the automatic

Serial No. 10/527,434
Atty. Doc. No. 2002P11067WOUS

determination of the respective positions based on the height of the examination area and the height of the active area of the radiation detector.” (See paragraph 011 of Substitute Specification.)

Further regarding Mazess, it is particularly noted that the Mazess specification is relatively detailed in a number of aspects of its devices and their operation. Yet it fails to teach the above-noted aspects of the present invention. It is opined that to combine Mazess with other references to reach all limitations of the present invention, in view of the relative thoroughness of Mazess that nonetheless does not teach the above-noted aspects, would be to use impermissible hindsight in such combining.

Although Applicant believes claim 13 as originally presented is patentable over Mazess, for improved clarity to better distinguish over the prior art, and to more quickly advance this application to issue, Applicant herein amends claim 13. Support for these amendments other the removal of “whole” is found in the application, particularly paragraphs 011, 027 and 030. As to the removal of “whole,” it is believe that this adjective is not needed, particularly in view of the other amendments to claim 13. Also, it is noted that the term “user input data” clearly is supported based on the information in the noted paragraphs.

Applicant also is adding claims 29 and 30, which describe two different approaches to provision of the user input data. These are not meant to be limiting.

Although in response to a rejection, Applicant believes that the amendments to claim 13 do not narrow the claim for purposes of patentability. Also, no new matter is added herein.

Reconsideration and withdrawal of the rejection of claims 13-16, 18 and 20-21 are respectfully requested based on the above amendment of and argument related to independent claim 13.

The Office action presents additional reasoning and/or references in combination with Mazess for the rejection of claims 17, 19, 22, 23, 24, 25 and 28. It is believed that the rejections of claims 17, 19, 22, 23, 24, 25 and 28, all of which depend from claim 13 and involve Mazess, are overcome based on the above argument and amendment of independent claim 13. Accordingly, reconsideration and withdrawal of the respective rejections of claims 17, 19, 22, 23, 24, 25 and 28 are respectfully requested.

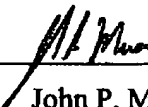
Serial No. 10/527,434
Atty. Doc. No. 2002P11067WOUS

Conclusion

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action have been overcome and that the application, including new claims 29 and 30, is now in condition for allowance. Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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